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November 12, 2024

Via CM/ECF Only

Hon. James M. Wicks
United States Magistrate Judge
United States District Court,
Eastern District of New York
100 Federal Plaza, Courtroom 1020
Central Islip, New York 11722

Re: *Deo v. Baron, Case No. 2:24-cv-06903*
Request for Extension of Time to Respond to Complaint

Dear Judge Wicks:

As you may recall, this firm represents defendant Richards, Witt & Charles, LLP (“RWC”) in connection with the above-referenced action. Pursuant to Fed. R. Civ. P. 6(b)(1)(A) and Individual Rule 1.D, RWC writes to request an adjournment of RWC’s time to respond to Plaintiff’s Verified Complaint (the “Complaint” [ECF Nos. 1-2]). RWC’s time to respond is currently set for November 18, 2024 [ECF Text Order of 10/17/24]. On November 7, 2024, RWC filed a letter with Judge Choudry [ECF No. 44], seeking a: (i) pre-motion conference in advance of RWC’s anticipated Fed. R. Civ. P. 12(b)(6) motion to dismiss all claims against RWC in the Complaint; and (ii) briefing schedule in connection with the aforementioned motion. Several other defendants have made similar filings seeking such relief [ECF Nos. 34, 37, 42, 48].

To date, the pre-motion conference has not yet been scheduled by Judge Choudry; however, it is the undersigned’s understanding that a response from Judge Choudry is forthcoming, presumably with a pre-motion conference date. By the within correspondence, RWC seeks a further extension of time to respond to Plaintiff’s Complaint:

- i. of thirty (30) days, up to and including December 18, 2024; or alternatively,
- ii. *sine die*, until after such time that the Court resolves/addresses RWC’s pre-motion conference letter [ECF No. 44] namely: (a) the identified date in any briefing schedule issued in connection with the parties’ anticipated forthcoming pre-motion conference with Judge Choudry; or (b) thirty (30) days from Judge Choudry’s denial of RWC’s request for a pre-motion conference and/or denial of authorization to proceed with RWC’s anticipated motion.

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Please note, Plaintiff's counsel has provided consent to an extension of thirty (30) days, up to and including December 18, 2024, only.

Respectfully submitted,



Conor V. McDonald

cc: All Appearing Counsel (via CM/ECF)